

REMARKS

Applicant has now cancelled all claims, such that claims 95-213 are now cancelled. Accordingly, no claims remain pending in this application and Applicant requests that the above-identified application be expressly abandoned. The previously referenced litigation between (1) Nanogen, Inc. (assignee of the instant application) and (2) the assignee of Montgomery U.S. Patent Nos. 6,093,302 and 6,280,595, has been settled.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made." Prompt and favorable action on the merits of the claims is earnestly solicited. If any minor issues remain, please contact Applicants' undersigned representative at 949-737-2900.

Respectfully submitted,

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PATENT TRADEMARK OFFICE



Patent  
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(prev 261/011)

**"Version with markings to show changes made"**

**In the Claims:**

Claims 95-109, 111-115, 117-136, 139-143, 146-157, 159-170, 174-182, 184-196, 198, 199,  
and 202-204 have been cancelled.

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